

**§ 151.2036**

**33 CFR Ch. I (7–1–12 Edition)**

*discharged to waters of the U.S.* After the dates listed in Table 151.2035(b), vessels may use a USCG-approved BWMS and comply with the discharge standard,

use PWS per §151.2025(a)(2), or use a previously installed AMS per §151.2025(a)(3).

**TABLE 151.2035(b)—IMPLEMENTATION SCHEDULE FOR APPROVED BALLAST WATER MANAGEMENT METHODS**

	Vessel's ballast water capacity	Date constructed	Vessel's compliance date
New vessels .....	All .....	On or after December 1, 2013 .....	On delivery.
Existing vessels .....	Less than 1500 m <sup>3</sup> .....	Before December 1, 2013 .....	First scheduled drydocking after January 1, 2016.
	1500–5000 m <sup>3</sup> .....	Before December 1, 2013 .....	First scheduled drydocking after January 1, 2014.
	Greater than 5000 m <sup>3</sup> ..	Before December 1, 2013 .....	First scheduled drydocking after January 1, 2016.

**§ 151.2036 Extension of compliance date.**

The Coast Guard may grant an extension to the implementation schedule listed in §151.2035(b) of this subpart only in those cases where the master, owner, operator, agent, or person in charge of a vessel subject to this subpart can document that despite all efforts to meet the ballast water discharge standard requirements in §151.2030 of this subpart, compliance is not possible. Any extension request must be made no later than 12 months before the scheduled implementation date listed in §151.2035(b) of this subpart and submitted in writing to the Commandant (CG-522), U.S. Coast Guard Office of Operating and Environmental Standards, 2100 2nd St. SW., Stop 7126, Washington, DC 20593-7126. Summary information concerning all extension decisions, including the name of the vessel and vessel owner, the term of the extension, and the basis for the extension will be promptly posted on the Internet. Extensions will be for no longer than the minimum time needed, as determined by the Coast Guard, for the vessel to comply with the requirements of §151.2030.

**§ 151.2040 Discharge of ballast water in extraordinary circumstances.**

(a) The Coast Guard will allow the master, owner, operator, agent, or person in charge of a vessel that cannot practicably meet the requirements of §151.2025(a) of this subpart, either because its voyage does not take it into waters 200 nautical miles or greater

from any shore for a sufficient length of time and the vessel retains ballast water onboard or because the master of the vessel has identified safety or stability concerns, to discharge ballast water in areas other than the Great Lakes and the Hudson River north of the George Washington Bridge.

(1) The Coast Guard will not allow such a discharge if the vessel is required to have a Coast Guard-approved ballast water management system (BWMS) per the implementation schedule found in §151.2035(b) of this subpart.

(2) If the Coast Guard allows the discharge of ballast water as described in paragraph (a) of this section, the master, owner, operator, agent, or person in charge of the vessel must discharge only that amount of ballast water operationally necessary to ensure the safety of the vessel for cargo operations.

(3) Ballast water records must be made available to the local Captain of the Port (COTP) upon request.

(4) Vessels on a voyage to the Great Lakes or the Hudson River north of the George Washington Bridge must comply with the requirements of 33 CFR 151.1515.

(b) If the installed BWMS required by this subpart stops operating properly during a voyage, or the vessel's BWM method is unexpectedly unavailable, the person directing the movement of the vessel must ensure that the problem is reported to the nearest COTP or District Commander as soon as practicable. The vessel may continue to the